

[PRIVATE.]

DEAR SIR,

I have the pleasure to forward to you a printed Copy of a Draft Ordinance, which I have prepared by direction of His Excellency the Governor General, to establish Registry Offices throughout the Province, for the purpose of being submitted to the Special Council. Before presenting it to his Lordship for his approval, I should feel much obliged to you for any suggestions which you will have the kindness to make for the improvement of it, or for the removal of any defects which you may discover in it. You will perceive that there is a continuance of the clauses in the present Registry Acts, authorizing the payment of fees to the Registers of the Registry Counties. In the absence of all Legislative power, to impose fresh taxes, and with the limited funds at the disposal of His Excellency, (from which circumstance he has been compelled to postpone many important improvements which are loudly called for,) I have thought it expedient to continue these clauses, at some sacrifice of uniformity and appearance in the Ordinance.

It is my intention at the same time to submit a short Act to His Excellency for his approval, having for its object to abolish prospective mortgages and tacit liens and incumbrances on lands, except in the cases of Tutors, Curators, and Public Accountants.

It has been suggested also to abolish the customary Dower on Marriage, but that is hardly thought right, without further enquiry and consideration. It would probably be greatly disliked by the Habitans without any corresponding advantage; as every necessary protection would be given by the necessity of registering the marriage. Perhaps a clause to require every Priest to forward a Certificate of each Marriage to the Register, and to make it incumbent upon the parties to register it on any future acquisition of property, in another place would be an advantageous addition in that respect to the Bill as it stands.

As it is expedient that no time should now be lost in the completion of this measure, you will much oblige me, by returning it at your earliest convenience, with your observations upon it.

You are at liberty to shew the ordinance to any of your friends, whose advice or opinion you may think would be entitled to weight.

I am dear Sir,

Your's faithfully,

Wm. E. McTear
Secy to Govt

Quebec, 22d September, 1838.